

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALICE GAIL DAY,

Plaintiff,

v.

DANE GASCHEN,

Defendant.

Case No. 2:14-cv-586

JUDGE GREGORY L. FROST

Magistrate Judge Norah McCann King

ORDER

This matter is before the Court for consideration of the Magistrate Judge's June 18, 2014 Order and Report and Recommendation. (ECF No. 3.) In that filing, the Magistrate Judge conducted an initial screen of Plaintiff's complaint and recommended that the Court dismiss the complaint for failure to state a claim upon which this Court can grant relief. The Order and Report and Recommendation advised Plaintiff that the failure to object within fourteen days would "result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (*Id.* at Page ID # 14.)

The Court has reviewed the Order and Report and Recommendation. Noting that no objections have been filed, that the time for filing objections has expired, and that the Magistrate Judge's reasoning is correct, the Court **ADOPTS** the Order and Report and Recommendation and **DISMISSES** the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which this Court can grant relief. The Clerk shall enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern

District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE